

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA :  
 :  
 vs. : CRIMINAL NO. L-09-0373  
 :  
 TYRONE POWELL :  
 GERALD FITZGERALD :  
 :  
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ORDER

On November 3 and 4, 2009, this matter came before the Court for a hearing on the open motions. Trial is scheduled to begin Monday, November 9, 2009. In the interest of time, the Court is issuing this order advising the parties of the Court's decisions regarding the open decisions. A memorandum explaining these decisions will be filed shortly.

It is therefore this 5<sup>th</sup> day of November, 2009, ORDERED:

1. The motion to suppress (Paper No. 27) is DENIED
2. The motion to sever (Paper No. 28) is DENIED
3. The MOTION in Limine *to Preclude Cross Examination Concerning his Prior Criminal History* (Paper No. 44) is GRANTED in part and DENIED in part
4. The motion for leave to file additional motions (Paper No. 29) is GRANTED;
5. The motion to adopt motion of other defendants (Paper No. 30) is GRANTED;

The Clerk is directed to transmit/mail a copy of this order to all counsel.

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/s/

BENSON EVERETT LEGG  
Chief United States District Judge